

Applicants: Bartsch et al.
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In view of the arguments set forth below, applicants maintain that the Examiner's rejection made in the April 22, 2002 Final Office Action has been overcome, and respectfully request that the Examiner reconsider and withdraw same.

Rejection Under 35 U.S.C. §112, First Paragraph

The Examiner rejected claims 15, 16, 18-20 and 22 under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to allow one skilled in the relevant art to which it pertains to make and/or use the invention commensurate in scope with the claims.

In response to the Examiner's rejection of claim 16, applicants point out that this claim has been canceled. Thus, the rejection thereof is now moot.

In response to the Examiner's rejection of claims 15, 18-20 and 22, applicants respectfully traverse.

Briefly, claim 15 provides a method for enhancing long-term memory in a subject by inhibiting the binding of CREB2 to a transcription factor protein and/or DNA. Dependent claims 18-20 and 22 provide various embodiments of the method of claim 15.

Applicants understand the Examiner's rejection to be based upon an alleged lack of a nexus between vertebrate and invertebrate models of long-term memory defect.

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Applicants point out that claim 15, as amended, does not provide a method for treating a subject having a defect in long-term memory.

As demonstrated in applicants' December 19, 2001 Amendment, a nexus does exist between vertebrate and invertebrate models of long-term memory. Applicants maintain that this nexus, combined with the instant specification and the knowledge in the prior art, permits the enhancement of long-term memory in a subject by inhibiting CREB2, without undue experimentation.

In view of the above remarks, applicants maintain that claim 15, and likewise its dependent claims 18-20 and 22, satisfy the requirements of U.S.C. §112, first paragraph.

Summary

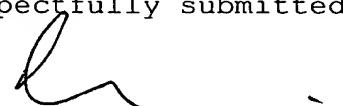
In view of the amendments and remarks made herein, applicants maintain that the claims pending in this application are in condition for allowance. Accordingly, allowance is respectfully requested.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

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No fee, other than the enclosed \$200.00 extension fee, is deemed necessary in connection with the filing of this Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
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8/23/92

Alan J. Morrison
Reg. No. 37,399

Date

Marked-up Version of the Amended Claims

15. (5x amended) A method for [treating a subject having a defect in] enhancing long-term memory in a subject, which comprises administering to the subject a compound that inhibits binding of (i) a cAMP-responsive-element-binding-protein-2 having an amino acid sequence identical to the sequence set forth in SEQ ID NO:1 to (ii) a transcription factor protein and/or DNA, wherein the protein or DNA is an activator of cAMP-responsive gene expression, and wherein the compound is administered in an amount effective to [treat said] enhance long-term memory [defect] in the subject.